

ASSEMBLY BILL

No. 2179

**Introduced by Special Committee on Assembly Legislative
Ethics (Thomson (Democratic Chair), Ackerman
(Republican Chair), Lempert, and Machado)**

February 19, 1998

An act to add Article 12 (commencing with Section 11146) to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 2179, as introduced, Committee on Legislative Ethics. State agencies: ethics orientation.

Existing law requires that the appropriate ethics committees of the Legislature conduct at least semiannually an orientation course for Members of the Legislature and designated legislative employees on laws governing official conduct, and another orientation course for registered lobbyists on issues and laws relating to lobbying. Members of the Legislature, designated legislative employees, and registered lobbyists are required to attend these courses every 2 years.

This bill would require each state agency to offer at least semiannually, and certain state officials and employees to attend once every 2 years, an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 12 (commencing with Section 11146) is added to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, to read:

Article 12. State Agency Ethics Training

11146. For purposes of this article, the following terms have the following meanings:

(a) “State agency” has the same meaning as set forth in Section 11000 and includes the Office of the Governor, but does not include the Legislature.

(b) “Filer” means each member, officer, or employee of a state agency who satisfies both of the following requirements:

(1) The person holds any one of the following positions with the agency: an elected office, a position that is exempt from civil service, a career executive assignment, the position of executive director or its equivalent, or the position of general counsel or its equivalent.

(2) The person is required to file a statement of economic interests under either Article 2 (commencing with Section 87200) or Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 because of the position he or she holds with the agency.

11146.1. Each state agency shall offer at least semiannually to each of its filers an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials.

11146.2. Each state agency shall maintain records indicating the specific attendees, each attendee’s job title, and dates of their attendance for each orientation course offered pursuant to Section 11146.1 for a period of not less than five years after each course is given. These records shall be public records subject to inspection and copying consistent with subdivision (a) of Section 81008 and otherwise subject to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

1 11146.3. Except as set forth in Section 11146.4, each
2 filer shall attend the orientation course required in
3 Section 11146.1, as follows:

4 (a) For filers who hold a position with the agency on
5 January 1, 1999, not later than December 31, 1999, and at
6 least once during each consecutive two calendar years
7 thereafter.

8 (b) For persons who become a filer with the agency
9 after January 1, 1999, within six months after they become
10 a filer and at least once during each consecutive two
11 calendar years thereafter.

12 11146.4. (a) The requirements of Section 11146.3
13 shall not apply to filers with a state agency who have
14 taken an equivalent ethics orientation course through
15 another state agency or the Legislature within the time
16 periods set forth in subdivision (a) or (b) of Section
17 11146.3, as applicable.

18 (b) State agencies may jointly conduct and filers from
19 more than one state agency may jointly attend an
20 orientation course required by Section 11146.1, as long as
21 the course content is relevant to the official duties of the
22 attending filers.

23 (c) Before conducting each orientation course
24 required by Section 11146.1, state agencies shall consult
25 with the Fair Political Practices Commission and the
26 Attorney General regarding appropriate course content.

